

protective membrane are not covered by any support layer in the unbonded region. Thus, the inner unbonded region is completely exposed to the atmosphere and free to move in response to acoustic energy, and the resulting assembly provides enhanced acoustic performance over the Repolle et al. assembly. Thus, Repolle et al. does not anticipate any of claims 26, 29-33 or 35-36.

## II. The Claims Are Neither Disclosed Nor Suggested by the Cited

### References

Claims 5, 8, 10, 27, 28, and 34 were rejected under 35 U.S.C. §103(a) as being unpatentable over Repolle et al. (U.S. Patent No. 5,828,012).

With respect to claims 5 and 28, applicants submit that claims 5 and 28 have been amended to depend from allowable claim 6 which has been rewritten in independent form, and such combinations would not be rendered obvious by the cited art.

With respect to claims 8 and 10, applicants submit that cancellation of these claims without prejudice or disclaimer to the subject matter therein renders moot the rejection.

With respect to claims 27 and 34, applicants respectfully traverse this rejection. Specifically, applicants submit that claims 27 and 34 depend from claims 26 and 29, respectively. Applicants refer to the arguments made earlier herein with respect to the 102(e) rejection of claims 26 and 29. Namely, method claim 26, as presently amended, and claim 29 recite a construction wherein the assembly consists essentially of

a microporous membrane having first and second surfaces and a perimeter defined by its edges, at least one of said surfaces bonded to at least one adhesive support system to form a periphery bonded region surrounding an inner unbonded region of the microporous membrane, such that said first and second surfaces of the inner unbonded region of said membrane are exposed to the atmosphere and free to move in response to acoustic energy....

As noted in applicants' previous submission dated March 18, 2002, the present invention is a sound-transmissive protective cover assembly which constitutes an improvement over the teachings of the Repolle et al. patent. The improvement is that, rather than having an assembly as in Repolle et al. where a porous support layer covers an entire surface of the protective membrane including the unbonded region, in the claimed invention the first and second sides of the protective membrane are not covered by any support layer in the unbonded region. Thus, the inner unbonded region is completely exposed to the

atmosphere and free to move in response to acoustic energy, and the resulting assembly provides enhanced acoustic performance over the Repolle et al. assembly. Thus, as noted earlier herein, Repolle et al. does not anticipate claims 26 or 29. Further, with respect to this 103(a) rejection, applicants submit that claims 27 and 34, which depend from claims 26 and 29, recite novel combinations which are not disclosed or suggested by the teachings of Repolle et al.

## II. Conclusion

For the foregoing reasons, the present invention as defined by claims 4-6 and 24-36 is neither taught nor suggested by the reference of record. Accordingly, applicant respectfully submits that these claims are now in form for allowance. If further questions remain, applicants requests that the Examiner telephone applicants' undersigned representative before issuing a further Office Action.

Respectfully submitted,

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Enclosure: Clean Version of Amended Claims and All Pending Claims

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